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August 13, 2015

E:Filed

The Honorable David S. Doty  
United States District Judge  
U.S. Courthouse, Suite 14W  
300 South Fourth Street  
Minneapolis, MN 55415

Re: Alan G. Keiran and Mary J. Keiran v. Home Capital, Inc. et al.  
Court File: Civil No. 10-4418 (DSD/JSM)

Dear Judge Doty:

Pursuant to my telephone conversation with your Judicial Clerk, on behalf of the Plaintiffs I am providing the below supplemental legal authority that I became aware of as it relates to the pending motions for summary judgment in the above-referenced case, which were argued before you Friday, August 7, 2015 (Doc. Nos. 59 & 71):

***Bank of Am. v. Peterson***, 746 F.3d 357, 361 (8<sup>th</sup> Cir. 2014) (remanded on the issue of rebuttable presumption).

Issues: Evidence needed to rebut presumption of delivery.  
Damages for failure to rescind claim.

***Gardner v. Montgomery Co. Teachers Fed. Cr. Union.***, 864 F.Supp.2d 412 (D. Md. 2012)

Issue: Burden of proof upon presenting prima facie violation of TILA.

Respectfully Submitted,

/s/ LuAnn M. Petricka  
LuAnn M. Petricka

LMP:em  
Enc.

C: Michelle Weinberg, Esq. (efiling / email)  
Charles Macdonald, Esq. “ “  
Clients